

1 STEVEN BENITO RUSSO
Chief of Enforcement
2 JULIA BILAVER
Commission Counsel
3 FAIR POLITICAL PRACTICES COMMISSION
4 428 J Street, Suite 620
Sacramento, CA 95814
Telephone: (916) 322-5660
5 Attorneys for Complainant
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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
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12 In the Matter of)	FPPC No.: 03/847
)	
13 CALIFORNIANS AGAINST GOVERNMENT)	
14 RUN HEALTHCARE, A COMMITTEE)	STIPULATION, DECISION and
15 AGAINST PROPOSITION ___, WITH)	ORDER
16 MAJOR FUNDING BY RESTAURANTS)	
AND RETAILERS; STEVE CHURCHWELL)	
)	
17 Respondents.)	
)	

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19 Complainant, Mark Krausse, Executive Director of the Fair Political Practices Commission, and
20 Respondents: Californians Against Government Run Healthcare, a Committee Against Proposition ___,
21 with Major Funding by Restaurants and Retailers; and Steve Churchwell; hereby agree that this
22 stipulation will be submitted for consideration by the Fair Political Practices Commission at its next
23 regularly scheduled meeting.

24 The parties agree to enter into this stipulation to resolve all factual and legal issues raised by this
25 matter and to reach a final disposition without the necessity of holding an administrative hearing to
26 determine the liability of Respondents.

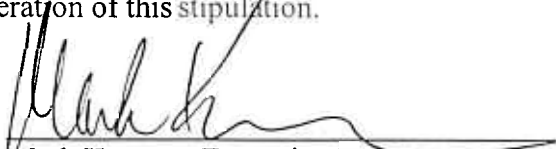
27 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
28 rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in section 18361 of

1 title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally
2 appear at any administrative hearing held in this matter, to be represented by an attorney at
3 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to
4 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over
5 the hearing as a hearing officer, and to have the matter judicially reviewed.


6 It is further stipulated and agreed that Respondents violated the Political Reform Act by failing
7 to file electronic reports disclosing the receipt of 10 contributions of \$5,000 or more within 10 days of
8 receiving the contributions, in violation of section 85309 of the Government Code (10 counts), as
9 described in Exhibit 1 Exhibit 1 is attached hereto and incorporated by reference as though fully set
10 forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

11 Respondents agree to the issuance of the decision and order, which is attached hereto.
12 Respondents also agree to the Commission imposing upon them an administrative penalty of Twenty-
13 five Thousand Dollars (\$25,000). A cashier's check from Respondents in said amount, made payable to
14 the "General Fund of the State of California," is submitted with this stipulation as full payment of the
15 administrative penalty, and shall be held by the State of California until the Commission issues its
16 decision and order regarding this matter. The parties agree that in the event the Commission refuses to
17 accept this stipulation, it shall become null and void, and within fifteen (15) business days after the
18 Commission meeting at which the stipulation is rejected, all payments tendered by Respondents in
19 connection with this stipulation shall be reimbursed to Respondents. Respondents further stipulate and
20 agree that in the event the Commission rejects the stipulation and a full evidentiary hearing before the
21 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
22 shall be disqualified because of prior consideration of this stipulation.

23
24 Dated: 3/5/04


Mark Krausse, Executive Director
Fair Political Practices Commission

25
26 Dated: 3-5-04


Steve Churchwell, individually and on behalf of
Californians Against Government Run Healthcare, a
Committee Against Proposition ___, with Major Funding
by Restaurants and Retailers, Respondents

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of Californians Against Government Run
3 Healthcare, a Committee Against Proposition ___, with Major Funding by Restaurants and Retailers;
4 and Steve Churchwell, FPPC No. 03/847,” including all attached exhibits, is hereby accepted as the final
5 decision and order of the Fair Political Practices Commission, effective upon execution below by the
6 Chairman.

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8 IT IS SO ORDERED.

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11 Dated: _____

12 Liane M. Randolph, Chairman
13 Fair Political Practices Commission
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